

Message Text

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ORIGIN PM-04

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L/PM - MR. ORLINS
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R 232235Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY ANKARA
INFO AMEMBASSY ATHENS
USMISSION NATO
USCINCEUR

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E.O. 11652: GDS

TAGS: MASS, TU

SUBJECT: US STATUTORY REQUIREMENTS ON TRANSFER OF TRAIN-
ING.

REF: ANKARA 4223

1. THE FOLLOWING RESPONSES ARE KEYED TO POINTS RAISED IN
REFTEL AND MAY BE PROVIDED TO TGS.

A. BASICALLY, THIRD-PARTY TRANSFERS OF US-ORIGIN, MATERIEL-
RELATED TRAINING INVOLVE THE SAME STATUTORY REQUIREMENTS
AND USG ADMINISTRATIVE PROCEDURES AS DO TRANSFERS OF DEFENSE
ARTICLES. THE CONGRESS IN 1976 AMENDED THE PERTINENT
SECTIONS OF SECURITY ASSISTANCE LEGISLATION (SECTION 505 OF
THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, AND SECTION
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3 OF THE ARMS EXPORT CONTROL ACT) TO INCLUDE "RELATED
TRAINING OR OTHER DEFENSE SERVICE". THE WORD "RELATED"
MEANS MATERIEL-RELATED, E.G., PILOT TRAINING, AND DOES NOT
INCLUDE SUCH TRAINING AS COMMAND AND STAFF COURSES. PRO-
CEDURALLY, PROPOSED MATERIEL-RELATED TRAINING TRANSFERS ARE
NOTIFIED TO THE CONGRESS AND NON-TRANSFER ASSURANCES ARE
OBTAINED FROM THE RECIPIENT. THE USG UTILIZES THE SAME

CRITERIA FOR REVIEWING REQUESTS FOR MATERIEL-RELATED
TRAINING TRANSFERS AS FOR TRANSFERS OF DEFENSE EQUIPMENT.

B. THE USG DOES NOT MAINTAIN A LIST OF COUNTRIES TO WHICH TRAINING CANNOT BE TRANSFERRED, SINCE, AS WITH DEFENSE ARTICLES, EACH REQUEST FOR TRANSFER IS REVIEWED ON A CASE-BY-CASE BASIS USING STANDARD CRITERIA. GENERALLY, IF THE US WOULD ITSELF NOT TRANSFER THE TRAINING CONCERNED TO THE PROPOSED RECIPIENT, IT WILL NOT ALLOW ITS TRANSFER FROM A SECOND COUNTRY WHICH RECEIVED THE TRAINING FROM THE US. FYI IF THE PROPOSED RECIPIENT IS NOT ELIGIBLE TO RECEIVE FMS OR MAP MATERIEL OR SERVICES DIRECTLY FROM THE US, WE CAN NEVERTHELESS APPROVE ITS RECEIPT OF SUCH MATERIEL OR SERVICES ON A THIRD-PARTY TRANSFER BASIS IF THE SECRETARY SO AUTHORIZES PURSUANT TO A SECRETARIAL DETERMINATION (SD). THE SD MUST BE OBTAINED IN EACH SUCH CASE AND IS SUBMITTED TO THE CONGRESS ALONG WITH THE NOTIFICATION OF OUR INTENT TO APPROVE THE PROPOSED TRANSFER. WE HAVE, HOWEVER, RARELY USED THIS PROCEDURE. END FYI

C. IT FOLLOWS FROM THE ABOVE THAT EACH TRANSFER OF US-ORIGIN, MATERIEL-RELATED TRAINING BY A MAP OR FMS RECIPIENT TO ANY THIRDPARTY MUST BE APPROVED IN ADVANCE BY THE USG.

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D. FOR THE SAME REASONS, MATERIEL-RELATED TRAINING SUCH AS PILOT TRAINING CANNOT AUTOMATICALLY BE TRANSFERRED TO THIRD-PARTIES TO WHOM THE US HAS PROVIDED THE EQUIPMENT CONCERNED (OR EVEN THE SAME TRAINING). EACH THIRD-PARTY TRANSFER CASE MUST BE REPORTED SEPARATELY TO THE CONGRESS.

E. THERE ARE NO EXCEPTIONS FOR NATO OR CENTO COUNTRIES (OR ANY OTHER COUNTRIES) FROM THIRD-PARTY TRANSFER LEGISLATIVE REQUIREMENTS. CHRISTOPHER

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Message Attributes

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Control Number: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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